MAY 1 7 1006 10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IFW/A

The Application of: ANDRE

SIRILUTPORN CHAN ET AL.

Serial No.: 10/644,706

Filed: 20 AUGUST 2003

For: AERODYNAMIC DIFFUSER, CONTRACTION, AND FAIRING FOR DISK BASE AND RE-ACCELERATION DRAG REDUCTION IN HARD DISK DRIVES Attorney Docket No.: HSJ920030066US2

Examiner: WILLIAM JOSEPH

KLIMOWICZ

Confirmation No.: 6696

Art Unit: 2627

SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Mr. Klimowicz:

In response to the Office Action dated April 25, 2006, Applicant submits this Terminal Disclaimer with a shortened statutory period ending July 25, 2006.

Please charge the Terminal Disclaimer fee under 37 C.F.R. 1.20(d) of \$130.00 to HITACHI Global Storage Technologies' Deposit Account No. 50-2587.

Respectfully submitted,

Michael E. Noe, Jr.

Registration No. 44,975

BRACEWELL & GIULIANI LLP

P.O. Box 61389

Houston, Texas 77208-1389

(512) 542-2135

ATTORNEY FOR APPLICANT

CERTIFICATE OF MAILING BY EXPRESS MAIL 37 CFR 1.8 (a)

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service as Express Mail No. EQ 343861575 US in an envelope addressed to MAIL STOP – NON-FEE AMENDMENT, Commissioner for Patents, P.O. Box 1450 Alexandra, VA 22313-1460.

May 17, 2006

Date

grature of Betty J. Ki

MAY 1 7 2006

PTO/SB/25 (10-05)

Approved for use through 07/31/2006, OMB 0651-003)
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
After the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION

Docket Number (Optional) HSJ920030066US2

In re Application of: ANDRE SIRILUTPORN CHAN ET AL.
Application No.: 10/644,706
Filed: AUGUST 20, 2003
For: AERODYNAMIC DIFFUSER, CONTRACTION, AND FAIRING FOR DISK BASE AND RE-ACCELERATION DRAG REDUCTION IN HARD DISK DRIVES
The owner*, <u>Hitachi Global Storage Technologies</u> , of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number <u>10/644,172</u> , filed on <u>August 20. 2003</u> , as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.
Check either box 1 or 2 below, if appropriate.
1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.
2. The undersigned is an attorney or agent of record. Reg. No. 44,975
Luchaelibe 5-17-2006
Signature Date
MICHAEL E. NOE, JR. Typed or printed name
(512) 542-2135 Telephone Number
▼ Terminal disclaimer fee under 37 CFR 1.20(d) is included.
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324. This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO

This collection of information is required by 37 CPR 1.321. The information is required to obtain of retain a behind by the public which is to line (and by the OSP 10 to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.